

CHURCH ROAD ESTATES

DE SOTO

County, Mississippi

SUBDIVISION SECT "D-1" LINE

WA 63275 FCA 360.2

RIGHT OF WAY INSTRUMENT

In consideration of \$ 1.00 cash, and other valuable considerations, receipt of all of which is hereby acknowledged, I/we acting personally and for and on behalf of our heirs, successors, and assigns and any other person claiming or to claim the property herein-after described, called collectively "Grantors") do hereby grant, convey and warrant unto MISSISSIPPI POWER & LIGHT COMPANY,

its successors and assigns (herein called "Grantee"), a right of way and easement 10 feet in width for the location construction, reconstruction, operation, maintenance, and removal of electric power and/or communications lines and circuits, including poles, towers, cross arms, insulators, wires, cables, hardware, transformers, switches, guy wires, anchors and all other equipment, structures, material and appliances, now or hereafter used, useful or desired in connection therewith, over, across, under, and on that land in the County of

DE SOTO

Mississippi, described as follows, to-wit:

10 FOOT RIGHT-OF-WAY NEAR THE ROAD
PROPERTY LINES OF THE FOLLOWING LOTS
(26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37,
38, 39, 40, 41, 42, 43, AND 44) OF CHURCH ROAD
ESTATES SUBD. SECTION "D-1" S¹/₂ SECT 2 T2S-R8W

together with the right of ingress and egress to and from said right of way across the adjoining land of the Grantors, the passage of vehicles and equipment upon said right of way and the right to install and maintain guy wires and anchors beyond the limits of said right of way.

Grantee shall have the full right, without further compensation, to clear and keep clear said right of way, including the right to cut down, condition, treat or otherwise remove all trees, timber, undergrowth, and other obstruction. Grantee shall have the further right to cut down from time to time all trees that are tall enough to strike the wires in falling, where located beyond the limits of said right of way, (called "danger trees"). Payment for the first cutting of danger trees is included in the above consideration. Grantee shall pay to Grantor, or his successor in title, the reasonable market value of danger trees cut thereafter.

Grantors covenant that they will not construct or permit the construction of any house, barn, well or other structure or hazard on said right of way.

Unless otherwise herein specifically provided, the center line of the electric power line initially constructed on this right of way shall be the center line of said right of way.

Should Grantee, or its successors, remove its facilities from said land and abandon said right of way, the rights herein created in Grantee shall terminate, but with the right to remove therefrom all of Grantee's property thereon.

It is understood that Grantors shall have, at all times the right to use said right of way for any lawful purpose provided it does not interfere with the rights herein created in Grantee, and that Grantee will not enclose said right of way, and Grantor will use the best efforts to protect Grantee's property on said right of way.

WITNESS my/our signature, this the 29 day of SEPTEMBER, 1983

CHURCHWOOD DEVELOPMENT CORP
By Max B. Ostner
VICE PRESIDENT

STATE OF MISSISSIPPI

CORPORATE ACKNOWLEDGEMENT

STATE OF TENNESSEECounty of SHELBY

This day personally appeared before me, the undersigned authority in and for the foregoing jurisdiction, MAX B. OSTNER who acknowledged to me that he is VICE PRESIDENT of CHURCHWOOD DEVELOPMENT CORP., a corporation, and that he executed and delivered the foregoing instrument on the day and year therein mentioned, as the act and deed of said corporation, being duly authorized so to do.

GIVEN under my hand and seal of office this the 29 day of SEPTEMBER, 1983

My Commission Expires _____, 19____

My Commission Expires August 21, 1985

Nancy A. Brown

Notary Public

STATE OF MISSISSIPPI, DESOTO COUNTY

I certify that the within instrument was filed for record at 10 o'clock
55 minutes A.M. 27 day of Oct, 1983, and that the same has been recorded in
Book 160 Page 577 records of Right-of-Way Deeds of said County.

Witness my hand seal this the 31 day of Oct, 1983.
Fees 3.00 pd.

H. H. Ferguson CLERK